IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

MACA.No. 456 of 2007()

OPMV.1087/2004 of MOTOR ACCIDENT CLAIMS TRIBUNAL, OTTAPALAM
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APPELLANTS/ PETITIONERS IN O.P.(MV)

M.ABDU, S/O.AVARAN,
AGED ABOUT 54 YEARS,
RESIDING AT MELETHIL HOUSE,
CHOORIYODE.P.O., THACHAMPARA,
MANNARKKAD TALUK, PALAKKAD DISTRICT

BY ADV. SRI.BINOY VASUDEVAN

RESPONDENTS: RESPONDENTS 1 TO 3 IN O.P.(MV)
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1. SUNEER, S/O. YOUSEF,
   CHEERATHADAYAN VEEDU
   MUTHUKURUSSI,
   MANNARKKAD, PALAKKAD DISTRICT.

2. P.CHACKO VARGHESEESE,
   S/O,CHACKO VARGHEESE,
   "KIZHAKKEPARAMBIL", "SONY VILLA"
   THAKKUPURA, THACHAMPARA, P.O. MANNARKKAD TALUK,
   PALAKKAD

3. M/S. THE UNITED INDIA INSURANCE COMPANY
   LTD., BRANCH OFFICE, MANNARKKAD,
   PALAKKAD DISTRICT

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 26/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN & ANTONY DOMINIC,JJ.

M.A.C.A.NO.456 OF 2007

Dated this the 26th day of March, 2007

JUDGMENT

Raman,J.

Claimant in O.P.(MV).Nos.1087/2004 is the appellant herein. He sustained injuries as a result of a motor accident. An amount of Rs.44,007/- was awarded with cost of Rs.2,000/- by way of compensation payable under different heads. The respondents were directed to pay the amount within 30 days and in default, 6% interest on the above amount was also awarded till the date of realisation. Dissatisfied with the compensation awarded, this appeal has been preferred. It is contended on behalf of the appellant that Ext.A5, which is the wound certificate, would show that the appellant has suffered injuries; but no compensation was awarded towards disability as a result of the injury sustained by him. But the Doctor was not examined in this case to prove the disability. Further the Tribunal has awarded an amount of Rs.10,000/- each towards loss of amenities of life and pain and suffering, Rs.18,457/- towards medical expenses, Rs.1,050/- towards by standers expenses, Rs.2,000/- each towards travelling expenses and extra nourishment and Rs.500/- towards damage to clothes. In such

circumstances and based on the materials available on record, it cannot be said that the appellant is entitled for further compensation. We find no merit in this appeal. It is accordingly dismissed.

P.R.RAMAN,
Judge.

ANTONY DOMINIC,
Judge.

kcv.